IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.THANKAPPAN

FRIDAY, THE 20TH JULY 2007 / 29TH ASHADHA 1929

Crl.L.P..No. 506 of 2007()

CC.88/2000 ON THE FILE OF THE JUDICIAL MAGISTRATE OF THE I CLASS, ADIMALY

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PETITIONER(COMPLAINANT):

GOPI, S/O. VELU,
KARIPPELIKKUDI VEEDU, KANJIRAVELI-KADIKANDOM KARA
MANNAMKANDOM VILLAGE, DEVIKULAM TALUK.

BY ADV. SRI.P.V.BABY
SRI.R.KIRAN

RESPONDENTS: (ACCUSED 1 & 3 TO 7):

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1. C.K. ALIYAR,
RANGER OFFICER, NERIAMANGALAM, NOW RESIDING AT
SRAMBICKAL HOUSE, PAREEKKUNNU P.O.,KOTHAMANGALAM.

2. R. ADHEESH,
FORESTER, VALARA FOREST STATION, NOW RESIDING AT
PUTHENPURAYIL VEEDU, MARAVANTHURUTH, K.S.MANGALAM
VILLAGE, KOTTAYAM DISTRICT.

3. VELAYUDHAN,
FOREST GUARD, VALARA FOREST STATION, NOW RESIDING
AT VADAKAYIL HOUSE, VAIKOM P.O., KOTTAYAM DISTRICT

4. MATHEW,
FOREST GUARD, VALARA FOREST STATION, NOW RESIDING
AT KOTTOOR VEEDU, KOOMPANPARA KARA, P.O.ADIMALY,
IDUKKI DISTRICT.

5. JACOB,
FOREST GUARD, VALARA FOREST STATION, NOW RESIDING
AT KULAMBUMKATTA HOUSE, PAZHOOR P.O., PIRAVOM.

6. KUNJUMUHAMMADU,
FOREST GUARD, VALARA FOREST STATION, NOW RESIDING
AT ERAMALLOOR VILLAGE, KOTHAMANGALAM.

7. STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY P.P.SRI.C.M.KAMMAPPU FOR R7

THIS CRIMINAL LEAVE PETITION HAVING BEEN FINALLY HEARD ON 20/07/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

K. Thankappan, J.

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Crl.L.P. No. 506 of 2007

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Dated this the 20th day of July, 2007

O R D E R

The only question involved in this petition is whether the petitioner was in possession of the property alleged to have been trespassed by respondents 1 to 6? The trial court after considering the entire evidence found that the "**complainant has failed to prove his ownership or possession over the property alleged to have been trespassed into by the accused"**. On appreciating the entire evidence and on perusing the judgment under appeal, this Court is of the view that the impugned judgment requires no interference by this Court. Hence, leave to appeal is rejected.

K. Thankappan,
Judge.

mn.

K.Thankappan,J.

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Crl.l.P.No. /200

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ORDER

-6-2007